HONOURABLE SRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No.27726 OF 2005

Between:

M/s. Medinova Diagnostic Services Limited,

Rep. by its Director Sri S. Basu Thakur

Registered Office at 6-3-652, Somajiguda,

Hyderabad – 500 082.

.. Petitioner

AND

The Commissioner of Customs & Central Excise

Hyderabad – II, Commissionerate, L.B. Stadium Road,

Basheerbagh, Hyderabad – 500 004.

.. Respondent

::ORDER::

Counsel for the Petitioner : Mr. T.P. Acharya

Counsel for the Respondent :Mr. A. Rajasekhar Reddy,
Asst. Solicitor General.

28th December, 2005

Per G.S. Singhvi, CJ

This is a petition for quashing notice dated 08-12-2005 issued by Commissioner of Customs and Central Excise, Hyderabad – II (respondent) to the petitioner requiring it to deposit a sum of Rs.27,24,551/- in terms of order dated 29-03-2004 passed in the proceedings initiated for levy of differential duty.

After arguing the case for some time, learned counsel for the petitioner made a request that his client may be permitted to withdraw the writ petition with liberty to make a representation to the respondent for extension of time specified in the notice. He then submitted that the petitioner has already deposited a sum of Rs.8,50,000/- and, therefore, the respondent may be directed not to take any coercive steps till the balance amount is deposited.

In our opinion, the request of the learned counsel for grant of permission to his client to withdraw the writ petition is reasonable and merits acceptance.

Hence, the writ petition is dismissed as withdrawn with liberty to the petitioner to approach the respondent for extension of time specified in notice dated 08-12-2005.

G.S. SINGHVI, C.J.

Date:28-12-2005

R. SUBHASH REDDY, J

PV